



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,381	08/11/2000	Lee Evan Nakamura	ST9-99-124	8892

23373 7590 10/08/2003

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037

EXAMINER

DODDS, HAROLD E

ART UNIT	PAPER NUMBER
----------	--------------

2177

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/637,381

Applicant(s)

NAKAMURA ET AL.

Examiner

Harold E. Dodds, Jr.

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 76-81 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 76-81 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this and Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira (U.S. Patent No. 6,122,640) and Carper et al. (U.S. Patent No. 6,390,374).

3. Pereira rendered obvious independent claims 1, 9, and 17 by the following:

"...creating a...in-memory database table..." at col. 2, lines 53-56 and col. 9, lines 62-66.

"...and loading data into the in-memory database table..." at col. 19, lines 43-51 and col. 9, lines 62-66.

Pereira does not teach the use of a persistent in-memory table.

4. However Carper teaches the use of a persistent in-memory table as follows:

"...persistent in-memory...table" at col. 14, lines 41-44.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to persistently store tables in memory in order have rapid access to the data in these tables.

5. Claims 2, 3, 10, 11, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims above, and further in view of Sarkar (U.S. Patent No. 6,012,067).

As per claims 2, 10, and 19, the "...data is loaded..." is taught by Pereira at col. 19, lines 43-51,

but the "...from a relational data store..." is not taught by either Pereira or Carper.

However, Sarkar teaches the use of a relational data store as follows:

"...So far SQL queries are limited to a specific relational database with a specific data dictionary (often called the meta data repository)..." at col. 5, lines 58-62.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to use a relational data store as a source of data for a database in order to use widely used technology for sources of data to gain acceptance for the system.

6. As per claims 3, 11, and 19, the "...in-memory database table..." is taught by Pereira at col. 19, lines 43-51 and col. 9, lines 62-66, but the "...is user-defined..." is not taught by either Pereira or Carper.

However, Sarkar teaches the use of user-defined activities as follows:

"...A user-defined routine (UDR) is a routine that a user creates and registers in the system catalog tables and that is invoked within a SQL statement or another routine..." at col. 3, lines 34-37.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to allow users to define tables in a database in order to provide for user input into the design of the database and gain greater acceptance in the user community.

7. Claims 4, 8, 12, 16, 20, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims above, and further in view of Shaunghnessy (U.S. Patent No. 5,692,178).

As per claims 4, 12, and 20, the "...to the in-memory database table..." is taught by Pereira at col. 19, lines 43-51 and col. 9, lines 62-66, but the "...enabling multiple users..." and the "...to share access..." are not taught by either Pereira or Carper.

However, Shaunghnessy teaches the sharing of access to a database by multiple users as follows:

"...In this manner, multiple users may transparently access the same resources in the same database at the same time, with data integrity fully maintained..." at col. 2, lines 31-34.

"...In contrast to a full lock, a write lock (shared access) only prevents other users from changing the contents of a family of objects..." at col. 9, lines 55-57.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to allow multiple users to access a database at the same time in order to provide for greater utilization of the database resources.

Art Unit: 2177

8. As per claims 8, 16, and 24, the "...to the in-memory database table..." is taught by Pereira at col. 19, lines 43-51 and col. 9, lines 62-66, but the "...limiting access..." is not taught by either Pereira or Carper.

However, Shaughnessy teaches the limiting access to database tables as follows:

"...It does not, however, limit user access to the objects in the family, for example, for viewing a database table..." at col. 9, lines 57-58.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to limit the access to database tables in order to permit the viewing or modifying of data in the database by unauthorized viewers.

9. Claims 5, 13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims 1, 9, and 17 above respectively, and further in view of Blakeley et al. (U.S. Patent No. 5,761,493).

As per claims 5, 13, and 21, the "...dropping the in-memory database table upon receipt of a drop table command...is not taught by either Pereira or Carper.

However, Blakeley teaches the use of the drop table command as follows:

"...SQL commands for data definition in the database are CREATE TABLE (specifies a relation schema), ALTER TABLE (adds an attribute to a schema), and DROP TABLE (deletes a schema)..." at col. 1, lines 63-66.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to allow the dropping of a database table in order to provide a means of removing a table from the database without disrupting the other tables in the database. modifying of data in the database by unauthorized viewers.

Art Unit: 2177

10. Claims 6, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims 1, 9, and 17 above respectively, and further in view of Blakeley and Meyerzon et al. (U.S. Patent No. 6,424,966).

As per claims 6, 14, and 22, the "...dropping the in-memory database table upon system shutdown..." is not taught by either Pereira or Carper.

However, Blakeley teaches the dropping of tables as follows:

"...SQL commands for data definition in the database are CREATE TABLE (specifies a relation schema), ALTER TABLE (adds an attribute to a schema), and DROP TABLE (deletes a schema)..." at col. 1, lines 63-66.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to allow the dropping of a database table in order to provide a means of removing a table from the database without disrupting the other tables in the database. modifying of data in the database by unauthorized viewers.

Blakeley does not teach the use of system shutdowns,

However, Meyerzon teaches the use of system shutdowns as follows:

"...The notification source 250 is also responsible for requesting an initialization crawl (FIG. 5b) whenever the notification source 250 first starts or experiences a discontinuity such as a system shutdown..." at col. 10, lines 28-32.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to drop tables created by users during the current session at the time of system shutdown in order to return the table structure of a database to its condition before the start of the session.

11. Claims 7, 15, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims 1, 9, and 17 above respectively, and further in view of Benedikt et al. (U.S. Patent No. 6,202,063).

As per claims 7, 15, and 23, the "...for creating the in-memory database table..." is taught by Pereira at col. 2, lines 53-56 and col. 9, lines 62-66, but the "...providing a syntax..." is not taught by either Pereira or Carper.

However, Benedikt teaches the providing of syntax as follows:

"...Given the above-described teachings of the invention, an illustrative scenario is presented below in the context of FIGS. 4A and 4B whereby a query pre-processor of the invention performs query translation by providing an effective syntax query in response to a user-input query including certain geometric objects..." at col. 24, lines 33-38.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to provide a syntax in order to provide the users with means of submitting queries to the databases.

12. Claims 76, 78, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims 1, 9, and 17 above respectively, and further in view of Dugan et al. (U.S. Patent No. 6,363,411).

As per claims 76, 78, and 80, the "...in-memory database table..." is taught by Pereira at col. 9, lines 62-66, the "...is a persistent in-memory...table..." is taught by Carper at col. 14, lines 41-44, the "...database table that remains in memory..." is taught by Pereira at col. 3, lines 47-50 and col. 9, lines 62-66, the "...of said...in-memory database table..." is taught by Pereira at col. 9, lines 62-66,

the "...of said persistent in-memory...table..." is taught by Carper at col. 14, lines 41-44,
but the "...until a user specifies removal..." is not taught by either Pereira or Carper

However, Dugan teaches the user specified removal of data entities as follows:

"...If the SLP, SIBB or data status is not active or if data dependencies exist, SA ignores the deactivation request and notifies the requester; 4) logging all deactivations of data, SLPs and SIBBs; 5) enabling an authorized user to request the removal of an SLP, SIBB or data entity and specifying a time for a removal; 6) checking the status of the SLP, SIBB or data prior to forwarding a removal request to Data Management."

It would have been obvious to one ordinarily skilled in the art at the time of the invention to store tables in memory until a user specified that the table be removed in order provide the user with the control of access to these tables.

13. Claims 77, 79, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira and Carper as applied to claims 1, 9, and 17 above respectively, and further in view of Farrell (U.S. Patent No. 5,664,153).

As per claims 77, 79, and 81, the "...in-memory database table..." is taught by Pereira at col. 9, lines 62-66,
the "...is a persistent in-memory...table..." is taught by Carper at col. 14, lines 41-44,
the "...database table..." is taught by Pereira at col. 3, lines 47-50,
the "...accessed by a first user..." is taught by Pereira at col. 11, lines 65-67,
the "...access by a second user..." is taught by Pereira at col. 11, lines 65-67,
but the "...the data remains...after it is accessed..."
and the "...and is available for access..." are not taught by either Pereira or Carper.

However, Farrell teaches remaining after access and being available for access as follows:

"...The overhead wasted when these accesses cross a boundary from one page to another is quite small compared to the overhead saved by correctly leaving the page open after the remaining accesses..." at col. 15, lines 29-32.

"...When valid output data is available, access state TC₁ 466 is entered..." at col. 12, lines 17-18.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to persistently have tables remain in memory after access by one user for access by another user in order have rapid access to the data in these tables and not waste overhead between accesses of data.

Response to Arguments

14. Applicant's arguments filed on 12 August 2003 have been fully considered but they are not persuasive. In the first argument for independent claims 1, 9, and 17 on page 3, paragraph 4, the Applicants state as follows:

"The Examiner alleges that Pereira teaches "creating a . . . in-memory database table" at col. 2, lines 53-56; col. 9, lines 62-66; and col. 12, lines 9-10. Additionally, the Examiner alleges that Pereira teaches "loading data into the in-memory database table" at col. 9, lines 62-66; and col. 19, lines 43-51. The Examiner acknowledges that Pereira does not teach or suggest the use of an in-memory database table that is persistent (see Office Action, page 3). However, the Examiner alleges that Carper makes up for this deficiency of Pereira by teaching the use of a persistent in-memory database table at col. 14, lines 41-44. Applicants respectfully disagree."

Pereira teaches the use of an in-memory database table as follows:

"...In another example, when creating a table, the DBA makes a decision regarding the structure of a database table by setting a percentage of blocks free (PCTFREE) or percentage of blocks used (PCTUSED..." at col. 2, lines 53-56.

Art Unit: 2177

"...As each row is unloaded and inserted into the new table, the rowid of the source table is mapped to its new rowid in the new table and stored in the mapping table. The mapping table is utilized to process deletions of specific rows, if needed, in the latter half of the reorganization process. The mapping can be stored in the form of a table in the DBMS, in memory, on a file system, or any other method in which the mapping table may be maintained and later used by the reorganization process..." at col. 9, lines 58-66.

Carper teaches the use of persistent in-memory tables as follows:

"...This is done by reference to the one or more command tables stored in memory. Like all persistent data objects and files in memory, each command table must be referenced in a file directory..." at col. 14, lines 41-44.

The concept of a "persistent in-memory database table" is taught by a combination of the Pereira and Carper references. A table that may be stored in the DBMS is clearly a database table. Likewise, Pereira teaches that the table may also be stored in memory.

15. In the second argument for independent claims 1, 9, and 17 on page 4, paragraph 3, the Applicants state as follows:

"Applicants note that to establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings."

Pereira and Carper share many elements in common. These references may be combined since both Pereira and Carper teach the use of computers, the use of tables, the use of memory, the use of indexing, and the creation and updating of data.

Furthermore, it would have been obvious to one ordinarily skilled in the art at the time of the invention to persistently store tables in memory in order have rapid access to the data in these tables.

16. In the third argument for independent claims 1, 9, and 17 on page 5, paragraph 2, the Applicants state as follows:

"Further, given the disparate nature of the teachings of Pereira, which relates to reorganizing an active DBMS table, and Carper, which relates to the installation and de-installation of applications on a smart card, the Examiner appears to be employing impermissible hindsight in alleging a motivation to combine Pereira and Carper."

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

17. In the fourth argument for claims 2, 3, 10, 11, 18 and 19 on page 5, paragraph 4 and page 6, paragraph 1, the Applicants state as follows:

"Claims 2-3, 10-11 and 18-19 stand. rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Sarkar. Because Sarkar does not make up for the deficiencies of Pereira and Carper noted above, claims 2-3, 10-11 and 18-19 are patentable over a reasonable combination, if any, of Pereira, Carper and Sarkar at least by virtue of their dependency."

Since claims 2, 3, 10, 11, 18 and 19 depend of independent claims 1, 9, and 17, the responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17, and no additional arguments have been provided concerning the other references, claims 2, 3, 10, 11, 18 and 19 are also rendered obvious by Pereira and Carper.

18. In the fifth argument for claims 4, 8, 12, 16, 20, and 24 on page 6, paragraph 2, the Applicants state as follows:

"Claims 4, 8, 12, 16, 20 and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Shaughnessy, U.S. Patent No. 5,692,178 (hereinafter Shaughnessy). Because Shaughnessy does not make up for the deficiencies of Pereira and Carper noted above, claims 4, 8, 12, 16, 20 and 24 are patentable over a reasonable combination, if any, of Pereira, Carper and Shaughnessy at least by virtue of their dependency."

Since claims 4, 8, 12, 16, 20, and 24 depend of independent claims 1, 9, and 17, the responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17, and no additional arguments have been provided concerning the other references, claims 4, 8, 12, 16, 20, and 24 are also rendered obvious by Pereira and Carper.

19. In the sixth argument for claims 5, 13, and 21 on page 6, paragraph 3, the Applicants state as follows:

"Claims 5, 13 and 21 stand rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Blakeley. Because Blakeley does not make up for the deficiencies of Pereira and Carper noted above, claims 5, 13 and 21 are patentable over a reasonable combination, if any, of Pereira, Carper and Blakeley at least by virtue of their dependency."

Since claims 5, 13, and 21 depend of independent claims 1, 9, and 17, the responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17, and no additional arguments have been provided concerning the other references, claims 5, 13, and 21 are also rendered obvious by Pereira and Carper.

20. In the seventh argument for claims 6, 14 and 22 on page 6, paragraph 4 and page 7, paragraph 1, the Applicants state as follows:

Art Unit: 2177

"Claims 6, 14 and 22 stand rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Blakeley and Meyerzon. Because Meyerzon does not make up for the deficiencies of Pereira and Carper noted above, claims 6, 14 and 22 are patentable over a reasonable combination, if any, of Pereira, Carper and Meyerzon at least by virtue of their dependency."

Since claims 6, 14 and 22 depend of independent claims 1, 9, and 17, the responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17, and no additional arguments have been provided concerning the other references, claims 6, 14 and 22 are also rendered obvious by Pereira and Carper.

21. In the eighth argument for claims 7, 15 and 23 on and page 7, paragraph 2, the Applicants state as follows:

"Claims 7, 15 and 23 stand rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Benedikt. Because Benedikt does not make up for the deficiencies of Pereira and Carper noted above, claims 7, 15 and 23 are patentable over a reasonable combination, if any, of Pereira, Carper and Benedikt at least by virtue of their dependency."

Since claims 7, 15 and 23 depend of independent claims 1, 9, and 17 the responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17, and no additional arguments have been provided concerning the other references, claims 7, 15 and 23 are rendered obvious by Pereira and Carper.

22. In the ninth argument for claims 76, 78, and 80 on page 7, paragraph 3, the Applicants state as follows:

"Claims 76, 78 and 80 stand rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Dugan. Because Dugan does not make up for the deficiencies of Pereira and Carper noted above, claims 76, 78 and 80 are patentable over a reasonable combination, if any, of Pereira, Carper and Dugan at least by virtue of their dependency, as well as the additional features recited therein."

Art Unit: 2177

Since claims 76, 78, and 80 depend of independent claims 1, 9, and 17 and responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17 then claims 76, 78, and 80 are rendered obvious by Pereira and Carper.

23. In the tenth argument for claims 76, 78, and 80 on page 7, paragraph 4, the Applicants state as follows:

"For example and not by way of limitation, claim 76 recites that "the persistent in-memory database table remains in memory until a user specifies removal of said persistent in-memory database table" (see also claims 78 and 80). The Examiner acknowledges that Pereira and Carper fail to teach or suggest these features (see Office Action, page 8). However, the Examiner alleges that Dugan makes up for these deficiencies at col. 24, lines 59-66). Applicants respectfully disagree."

This is essentially the same as the first argument. For this reason, the response to the first argument renders obvious the tenth argument.

24. In the eleventh argument for claims 77, 79, and 81 on page 9, paragraph 2, the Applicants state as follows:

"Claims 77, 79 and 81 stand rejected under § 103(a) as allegedly being unpatentable over Pereira and Carper, as applied to claims 1, 9 and 17, and further in view of Farrell. Because Farrell does not make up for the deficiencies of Pereira and Carper noted above, claims 77, 79 and 81 are patentable over a reasonable combination, if any, of Pereira, Carper and Farrell at least by virtue of their dependency, as well as the additional features recited therein."

Since claims 77, 79, and 81 depend of independent claims 1, 9, and 17 and responses to the first, second, and third arguments have rendered obvious independent claims 1, 9, and 17 then claims 77, 79, and 81 are rendered obvious by Pereira and Carper.

25. In the twelfth argument for claims 77, 79, and 81 on page 9, paragraph 3, the Applicants state as follows:

'For example and not by way of limitation, claim 77 recites that " the data remains in the persistent in-memory database table after it is accessed by a first user and is available for access by a second user " (see also claims 79 and 81). The Examiner alleges that Pereira teaches that a first user accesses a persistent in-memory database table at col. 11, lines 65-67. To the contrary, Pereira merely describes time sharing between users accessing the source table and the reorganization process itself (Pereira: col. 11, lines 64-67). Although Pereira discloses users accessing the source table, users do not access the mapping table, which instead is used by the reorganization process. Consequently, Pereira, Carper and Farrell (alone or in combination) fail to teach or suggest the features of claims 77, 79 and 81."

This is essentially the same as the first argument. For this reason, the response to the first argument renders obvious the tenth argument.

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (703)-305-1802. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

Art Unit: 2177

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703)-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Harold E. Dodds, Jr.

Harold E. Dodds, Jr.
Patent Examiner
October 2, 2003


GRETA ROBINSON
PRIMARY EXAMINER